

Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KING COUNTY and CITY OF TACOMA,
individually and on behalf of others similarly
situated,

Plaintiffs,

v.

TEVA PHARMACEUTICAL INDUSTRIES,
LTD., TEVA PHARMACEUTICALS USA,
INC., and TEVA NEUROSCIENCE, INC.,

Defendants.

No. 2:21-cv-00477-RSL

**STIPULATED MOTION AND
ORDER EXTENDING DEADLINE
TO AMEND COMPLAINT**

I. BACKGROUND

By a prior stipulation (Dkt. No. 37), the parties agreed to a briefing schedule for the motion to dismiss (the “First Motion to Dismiss”) (Dkt. No. 27) filed on July 2, 2021 by Defendants Teva Pharmaceuticals USA, Inc. and Teva Neuroscience, Inc, and the motion to dismiss (the “Second Motion to Dismiss”) to be later filed by Defendant Teva Pharmaceutical Industries, Ltd. (“TPI”). The Court entered the parties’ stipulation by Order (Dkt. No. 38) dated July 22, 2021.

TPI timely filed the Second Motion to Dismiss (Dkt. No. 39) on August 30, 2021. Plaintiffs now seek to amend their Complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B) and 15(a)(2). Counsel for the Teva Parties and counsel for Plaintiffs have conferred and agree,

subject to the Court's approval, that Plaintiffs may amend their Complaint on or before September 28, 2021.

The parties agree that because "an amended complaint supersedes the original, the latter being treated thereafter as non-existent," *Ramirez v. County of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015) (internal quotations omitted), upon Plaintiffs' filing of their amended complaint, the First and Second Motions to Dismiss should be denied as moot.

The parties further agree to meet and confer after Plaintiffs file their amended complaint regarding a briefing schedule and page limitations for the Teva Parties' anticipated single motion to dismiss the amended complaint.

II. STIPULATION

The deadline for Plaintiffs to file an Amended Complaint is extended to September 28, 2021. Upon the filing of Plaintiffs' Amended Complaint, the Teva Parties' First (Dkt. No. 27) and Second (Dkt. No. 39) Motions to Dismiss shall be denied as moot.

DATED this 17th day of September, 2021.

KELLER ROHRBACK L.L.P.

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IT IS SO ORDERED.

DATED: September 20, 2021



Hon. Robert S. Lasnik
United States District Judge